IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 14949 of 1994

Between:

1. K.Hanumantha Rao, s/o.Muralidhar Rao, T.A. cum Supervisor,

K.S.T.E.P., R.R. District, Saifabad, Hyderabad.

2. Venkata Rangaiah, s/o. Satyanarayana, Manager, METEOR,

Medak District at Patancheru-504 319.

3. T.M.Raghunath, s/o. Radhakrishna Murthy, T.A. cum Superviser,

METEOR, Medak District at Patancheru.

4. Y. Damodar rEddy, s/o. Venkatram Reddy, Loans Inspector,

Medak District at Patancheru.

5. B. Viswanath, s/o. Nageswar Rao, Clerk-cum-Typist, METEOR,

Medak District at Patancheru.

6. J.L. Subrahmanyam, s/o. Venkatramaiah, Manager, KRISHI,

Krishna District at Vijayawada.

7. S. Ravinder, s/o. Lankaiah, APSTEP, Hyderabad.

8. Ch. Srinivas Rao, s/o. Rama Rao, APSTEP, Hyderabad.

9. B.Shanthi Latha, d/o. Lokeshwara Rao, Sr.Assistant, APSTEP,Hyderabad.

10. Smt.Bindu, d/o. K.K.Sridharana, Telephone Operator,

APSTEP, Hyderabad.

11. P.V.N.Malleshwar Rao, s/o. Chencha Rao, Junior Assistant,

APSTEP, Hyderabad.

12. B.A.N.Balrama Rao, s/o. Bhaskar Rao, Junior Assistant,

APSTEP, Hyderabad.

13. R.Krishna Sundaram, s/o. Satchidanada Swamy, Junior Assistant,

APSTEP, Hyderabad.

14. P.Srinivasa Murthy, s/o. Maddulety, Junior Assistant-cum-Typist,

APSTEP, Hyderabad.

15. R.Hanumantha Rao, s/o. Pentaiah, Attender, APSTEP, Hyderabad.

16. M.Khasim Baig, s/o.Khaja Baig, Senior Assistant, APSTEP, Hyderabad.

17. E.N.Swaraja Lakshmi, w/o.late Ranga Rao, typist, APSTEP, Hyderabad.

18. K.Madhusudhana Chary, s/o. K.V.Rama Chary, Junior Assistant-cum-

Record Keeper, APSTEP, Hyderabad.

19. P.V.Ramana Chary, s/o. Sampathakumara Chary, Junior Assistant,

APSTEP, Hyderabad.

20. K.Sayanna, s/o. Buchaiah, attender, APSTEP, Hyderabad.

21. M.V.K.Muralimohan, s/o.Vishwanatham, KSTEP, R.R.District, Hyderabad.

22. J.thirupathi Rao, s/o. Kista Rao, Loan Inspector, KSTEP,

R.R. District at Hyderabad.

23. D.Prasanna Lakshmi, w/o. Ramulu, Record Assistant, KSTEP,

R.R. District at Hyderabad.

24. T.Janaki Ramulu, s/o. Narasimha Sarma, Record Assistant, KSTEP,

R.R. District at Hyderabad.

25. J. Nagender, s/o. Santhaiah, APSTEP, Hyderabad.

26. Mohd.Hussain, s/o. Fiaz, Mohammad, Watchman, APSTEP, Hyderabad.

27. M.Kaspa Raja, s/o. Raju, Driver, APSTEP, Hyderabad.

28. A.R.Narasimha Rao, s/o. Venkateswara Rao, APSTEP, Hyderabad.

29. J.Uma Sundari, w/o.Narasimha Rao, Jr.Assistant, APSTEP, Hyderabad.

30. S. dakshina Murthy, s/o. Somaiah, KSTEP, R.R.District at Hyderabad.

31. Ashok Reddy, s/o.Kasi Reddy, Attender, KSTEP, R.R.District, Hyderabad.

32. D.Narender Reddy, s/o.Venkat Reddy, Clerk-cum-typist, KSTEP,

R.R. District at Hyderabad.

33. P. Ramesh babu, s/o. Venkateshwara Rao, STEP, Khammam, (SETKHAM), Khammam.

34. L.Ramulu, S/O. Venkata Subba Rao, Driver, APSTEP, Hyderabad.

35. A. Shanthamma, w/o. Satyanarayana, Attender, APSTEP, Hyderabad.

36. P. Satyanarayana, s/o. Pentaiah, Attender, APSTEP, Hyderabad.

37. K.Ch.Suryanarayana, s/o.Venkateswarlu, Attender, APSTEP, Hyderabad.

38. Abdul Bari, s/o. Abdul Ahmed, Driver, APSTEP, Hyderabad.

39. K.Venugopal Rao, s/o. Narasimha Murthy, T.A.-cum-Supervisor, KSTEP,

R.R. District, Hyderabad.

40. Ch.Niranjan, s/o. Babaiah, Attender, KSTEP, R.R. District, Hyderabad.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, represented by its Principal Secretary,

Industries & Commerce Department, Secretariat, Hyderabad.

2. Secretary to Government of A.P., Finance & Planning Department

(SES.II), Secretariat, Hyderabad.

3. Andhra Pradesh Society for Training & Employment Promotion

(APSTEP), Hyderabad, rep. by its Chairman & Managing Director.

4. Society for Training & Employment Promotion (STEP), KSTEP,

Ranga Reddy District, rep., by its Chairman & Dist. Collector, Hyderabad.

5. Society for Training & Employment Promotion (STEP), METEOR,

Medak District, at Patancheru, rep., by its chairman & Dist. Collector.

6. Society for Training & Employment Promotion (STEP) KRISHI,

Krishna District at Vijayawada, rep., by its Chairman & Dist. Collector.

7. Society for Training & Employment Promotion (STEP) SETKHAM,

Khammam District at Khammam, rep., by its Chairman & Dist. Collector.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction particularly one in the nature of Writ of Mandamus declaring that the action of Respondents in depriving the petitioners the payment of full pay based on the corresponding Revised scales of Pay allowed to State Government employees and in not regularizing the services of the petitioners allowing them all consequential service benefits like leave, promotion, is arbitrary, illegal, improper, unjust, and unconstitutional and therefore bad in law and consequently directing the respondents to take immediate action within a stipulated time not exceeding 6 weeks to implement the pay structure in full instead of 75% with effect from 01-07-1992 (the date on which the 1993 Revised Scales of Pay of the State Government employees is effective), and service conditions in respect of the petitioners on par with the corresponding State Government employees.

Counsel for the Petitioners: MR.G.V.L.N.MURTHY

Counsel for the Respondents 1 & 2: GP for Industries & Commerce

Counsel for the Respondents 3 to 7: MR.K.RAMANUJACHARI

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.14949 OF 1994

ORAL ORDER:

Heard both sides.

2. The petitioners seek a declaration that the action of the respondents in depriving the petitioners the payment of full pay based on the corresponding Revised Scales of Pay allowed to the State Government employees and in not regularizing the services of the petitioners and not allowing them to draw all consequential benefits like leave, promotion etc., as illegal and arbitrary.

3. The learned Government Pleader for Industries and Commerce appearing on behalf of the respondents 1 and 2 and the learned counsel appearing on behalf of the respondents 3 to 7 submits that the issue involved in the present writ petition had already fallen for consideration in W.P.No.12272 of 1992 and Batch and requested to dismiss the present writ petition also in terms of the said writ petition.

4. I have perused the judgment in W.P.No.12272 of 1992, dated 00-00-1994, wherein it was held thus:

> "We, therefore, direct that the representations submitted by the petitioners who have not got the benefit of full pay-scales shall be expeditiously and without avoidable delay examined by the respondents concerned and steps be taken to extend the pay benefits due to them, so as to avoid discrimination between similarly situated persons, subject of course to further review in the light of ultimate decision to be taken by the State Government."

5. The learned Government Pleader for Industries and Commerce appearing on behalf of the respondents 1 and 2 and the learned counsel appearing on behalf of the respondents 3 to 7 further submits that the rules have been framed in this regard, and the petitioners, it is needless to say, are governed by the said rules.

6. Having regard to the said facts, the writ petition fails and is liable to be dismissed.

7. Accordingly, the writ petition is dismissed. However, there shall be no order as to costs.

D.S.R.VARMA, J

04TH NOVEMBER 2004

KRK

To:

1. The Principal Secretary, Government of Andhra Pradesh, Industries & Commerce Department, Secretariat, Hyderabad.

2. The Secretary to Government of A.P., Finance & Planning Department

(SES.II), Secretariat, Hyderabad.

3. The Chairman & Managing Director, the Andhra Pradesh Society for Training & Employment Promotion (APSTEP), Hyderabad.

4. The Chairman & District Collector, Hyderabad, Society for Training & Employment Promotion (STEP), KSTEP, Ranga Reddy District.

5. The Chairman & District Collector, Medak District at Patancheru, Society for Training & Employment Promotion (STEP), METEOR, Medak District at Patancheru.

6. The Chairman & District Collector, Krishna District at Vijayawada, Society for Training & Employment Promotion (STEP) KRISHI.

7. The Chairman & District Collector, Khammam at Khammam, Society for Training & Employment Promotion (STEP) SETKHAM, Khammam.

8. Two CCs to the Government Pleader for Industries & Commerce, High Court Buildings, Hyderabad, OUT).

9.Two C.D. copies.